

1 AN ACT concerning teacher protection.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Section 24-24 as follows:

6 (105 ILCS 5/24-24) (from Ch. 122, par. 24-24)

7 Sec. 24-24. Maintenance of discipline. Subject to the  
8 limitations of all policies established or adopted under  
9 Section 14-8.05, teachers, other certificated educational  
10 employees, and any other person, whether or not a  
11 certificated employee, providing a related service for or  
12 with respect to a student shall maintain discipline in the  
13 schools, including school grounds which are owned or leased  
14 by the board and used for school purposes and activities. In  
15 all matters relating to the discipline in and conduct of the  
16 schools and the school children, they stand in the relation  
17 of parents and guardians to the pupils. This relationship  
18 shall extend to all activities connected with the school  
19 program, including all athletic and extracurricular programs,  
20 and may be exercised at any time for the safety and  
21 supervision of the pupils in the absence of their parents or  
22 guardians.

23 Nothing in this Section affects the power of the board to  
24 establish rules with respect to discipline; except that each  
25 board shall establish a policy on discipline, and the policy  
26 so established shall provide, subject to the limitations of  
27 all policies established or adopted under Section 14-8.05,  
28 that a teacher, other certificated employee, and any other  
29 person, whether or not a certificated employee, providing a  
30 related service for or with respect to a student may use  
31 reasonable force as needed to maintain safety for the other

1 students, school personnel or persons or for the purpose of  
2 self defense or the defense of property, shall provide that a  
3 teacher may remove a student from the classroom for  
4 disruptive behavior, and shall include provisions which  
5 provide due process to students. The policy shall not  
6 include slapping, paddling or prolonged maintenance of  
7 students in physically painful positions nor shall it include  
8 the intentional infliction of bodily harm. In addition to  
9 any other civil immunity provided by law with regard to a  
10 person's effort to enforce a school district's policy on  
11 discipline, school board members, teachers, principals,  
12 administrators, and other school employees have the immunity  
13 provided under Section 2-211.5 of the Local Governmental and  
14 Governmental Employees Tort Immunity Act.

15 The board may make and enforce reasonable rules of  
16 conduct and sportsmanship for athletic and extracurricular  
17 school events. Any person who violates such rules may be  
18 denied admission to school events for not more than one year,  
19 provided that written 10 days notice of the violation is  
20 given such person and a hearing had thereon by the board  
21 pursuant to its rules and regulations. The administration of  
22 any school may sign complaints as agents of the school  
23 against persons committing any offense at school events.

24 (Source: P.A. 88-346; 88-670, eff. 12-2-94; 89-184, eff.  
25 7-19-95.)

26 Section 10. The Local Governmental and Governmental  
27 Employees Tort Immunity Act is amended by adding Section  
28 2-211.5 as follows:

29 (735 ILCS 10/2-211.5 new)

30 Sec. 2-211.5. Enforcement of school district's  
31 discipline policy. Notwithstanding any other provision of  
32 this Act, a school board member of a school district or a

1 school district employee who is a teacher, principal,  
2 administrator, or other school employee is not liable for any  
3 injury arising out of an act or omission by that person, in  
4 his or her official capacity, in that person's effort to  
5 enforce the school district's policy on discipline, unless  
6 the act or omission is reckless or violates a State or  
7 federal criminal law.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.